



GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

August 28, 2013

CERTIFIED RETURN RECEIPT

7010 2780 0002 7254 0807

John Hewett
Interstate Brick Company
9780 South 5200 West
West Jordan, Utah 84081

Subject: Response to Public Comments, Pabco Building Products, LLC, Black Shale and Rose Mine, M/049/0084, Utah County, Utah

Dear Mr. Hewett:

The Division of Oil, Gas and Mining is in receipt of one public comment letter received in response to the tentative approval notice for the Black Shale and Rose Mine. The letter was received on August 19, 2013, from the Office of the Governor, Public Lands Policy Coordination Office (PLPCO). Additional information is needed to fully address the concern raised.

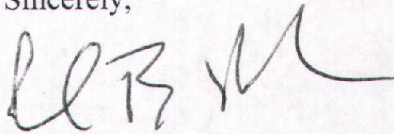
The Division of Air Quality commented that the proposed mine is subject to rule R307-309 and will require a fugitive dust control plan that must be submitted to the Executive Secretary of the Air Quality Board for approval before dust generating activities are begun. The mine is located in a PM-10/2.5 non-attainment area. A non attainment area is an area that has not met National Ambient Air Quality Standards.

In addition, please amend the Notice of Intention to Commence Large Mining Operations (NOI) under Section R647-4-109.4 and R647-4-109.5 give the projected impacts on air quality and how those impacts will be mitigated. Furthermore, please add an appendix to the NOI with the required fugitive dust control plan. Please refer to the attached comment letter to obtain additional information on preparing a fugitive dust control plan.

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The Division will issue final approval of this project after receiving the reclamation surety in the amount of \$182,000.00, a reclamation contract, and a complete amendment as discussed above. Please contact Penny Berry at 801-538-5291 or by e mail at pennyberry@utah.gov for further information about submitting the surety or reclamation contract. Other questions about this letter can be directed to me at 801-538-5261 or by e mail at paulbaker@utah.gov. Thank you for your cooperation in resolving these issues.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. B. Baker', with a long horizontal flourish extending to the right.

Paul B. Baker
Minerals Program Manager

PBB: AA: eb
Comment Letter (Encl.)
Andy Beddingfield - SITLA
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